

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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T.O., a minor through his  
Guardian Ad Litem Hannah  
Morris, Individually and as  
Personal Representative of the  
Estate of AMY WAYNE MORRIS,  
Deceased, and S.O., a minor  
through his Guardian Ad Litem  
Hannah Morris, Individually and  
as Personal Representative of  
the Estate of AMY WAYNE MORRIS,

Plaintiffs,

v.

COUNTY OF NEVADA, a  
Governmental Entity; WELLPATH,  
LLC, a Delaware limited  
liability company; NATIVIDAD  
RICKS, RN; JENNIFER PIXLEY, RN;  
JOSEPH BRITTON, MD; and DOES 1  
through 10, inclusive,

Defendants.

No. 2:24-cv-1131 WBS AC

ORDER

T.O., a minor through his  
Guardian Ad Litem Hannah  
Morris, Individually and as  
Personal Representative of the  
Estate of AMY WAYNE MORRIS,  
Deceased, and S.O., a minor  
through his Guardian Ad Litem  
Hannah Morris, Individually and  
as Personal Representative of  
the Estate of AMY WAYNE MORRIS,

No. 2:24-cv-3243 WBS AC

ORDER

Plaintiffs,

v.

MICHAEL O'BRIEN, individually,  
Defendant.

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On June 23, 2025, the court held a joint status  
conference in T.O. v. County of Nevada, No. 2:24-cv-1131 WBS AC;  
and T.O. v. O'Brien, No. 2:24-cv-3243 WBS AC. (See County of  
Nevada, Docket No. 63; O'Brien, Docket No. 31.) At the joint  
status conference, the parties and the court came to several  
agreements, and the court made multiple oral orders, which are  
formalized below.

As of May 9, 2025, defendant Wellpath, LLC ("Wellpath")  
has exited bankruptcy. (See County of Nevada, Docket No. 62 at  
¶¶ 1-9.) IT IS THEREFORE ORDERED that the stay in County of  
Nevada, No. 2:24-cv-1131 WBS AC, is hereby LIFTED. (See County  
of Nevada, Docket No. 55 at 1-2).

IT IS FURTHER ORDERED that, pursuant to Federal Rule of  
Civil Procedure 42(a)(2), O'Brien, No. 2:24-cv-3243 WBS AC, is  
hereby consolidated with County of Nevada, No. 2:24-cv-1131 WBS

1 AC, for all purposes.

2 IT IS FURTHER ORDERED that (1) County of Nevada, No.  
3 2:24-cv-1131 WBS AC, is designated as the "master file"; (2) the  
4 Clerk of the court is directed to copy the complaint (O'Brien,  
5 Docket No. 1) and answer (O'Brien, Docket No. 18) in O'Brien,  
6 No. 2:24-cv-3243 WBS AC, and to place said copies in the "master  
7 file"; (3) the Clerk of the court is directed to administratively  
8 close O'Brien, No. 2:24-cv-3243 WBS AC; and (4) the parties are  
9 directed to file all future pleadings and motions only in County  
10 of Nevada, No. 2:24-cv-1131 WBS AC.

11 IT IS FURTHER ORDERED that plaintiffs' ex parte  
12 application to shorten the time to hear their motion to join  
13 California Forensic Medical Group ("CFMG") is DENIED.  
14 (See O'Brien, Docket No. 26.) The parties are directed to file  
15 no further ex parte applications in the newly consolidated  
16 matter. The motion to join CFMG and any future motions shall be  
17 noticed for hearing on an available law and motion calendar in  
18 accordance with the Local Rules.

19 IT IS FURTHER ORDERED that within 14 days from the date  
20 of this Order, plaintiffs shall file an amended complaint in  
21 County of Nevada, No. 2:24-cv-1131 WBS AC, to reflect its  
22 consolidation with O'Brien, No. 2:24-cv-3243 WBS AC, and to join  
23 the Liquidating Trust of Wellpath's chapter 11 restructuring as a  
24 nominal defendant. Within 14 days after service of such amended  
25 complaint, pursuant to Rule 15(a)(3) of the Federal Rules of  
26 Civil Procedure, defendants shall file their responsive pleadings  
27 to such amended complaint, including Wellpath's motion to dismiss  
28 because of its discharge in bankruptcy. Within 14 days after the

1 filing of such amended complaint, plaintiffs may also refile  
2 their motion for the joinder of CFMG as a defendant.

3 IT IS FURTHER ORDERED that no discovery shall be  
4 conducted until the court issues its scheduling order, which will  
5 follow the court's ruling on plaintiffs' motion to join CFMG.

6 IT IS FURTHER ORDERED that simultaneous with their  
7 briefing on plaintiffs' motion to join CFMG, the parties shall  
8 file individual or joint status reports pursuant to Local Rule  
9 240, which shall contain:

10 (a) a proposed discovery plan required by Federal Rule  
11 of Civil Procedure 26(f);

12 (b) a proposed cut-off date by which all discovery  
13 shall be concluded;

14 (c) a proposed date by which all motions shall be filed  
15 and heard;


16 (d) any proposed modification of standard pretrial  
17 proceedings due to the special nature of the action;

18 (e) the estimated length of trial; and

19 (f) any other matters discussed in Local Rule 240 that  
20 may add to the just and expeditious disposition of this matter.

21 IT IS SO ORDERED.

22 Dated: June 25, 2025

  
23 **WILLIAM B. SHUBB**  
24 **UNITED STATES DISTRICT JUDGE**